

**STATE OF RHODE ISLAND
BEFORE THE RHODE ISLAND ETHICS COMMISSION**

**In re: Nicholas J. Izzi,
Respondent**

Complaint No. 2018-7

ORDER

This matter having been heard before the Rhode Island Ethics Commission on June 19, 2018, pursuant to Commission Regulation 1011, and the Commission having considered the Complaint herein, the arguments of counsel, and the proposed Information Resolution and Settlement, which is incorporated by reference herein, it is hereby

ORDERED, ADJUDGED AND DECREED

THAT, the Commission approves the Informal Resolution and Settlement as submitted; and

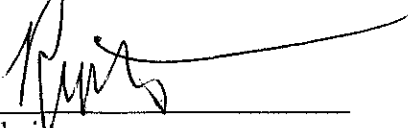
THAT, the Commission incorporates by reference herein the Findings of Fact and Admissions, and the Conclusions of Law, set forth in the Informal Resolution and Settlement; and

THAT, by participating in the Scituate Town Council's July 13, 2017 vote to appoint his first cousin to the Emergency Management Agency Director position, the Respondent violated Commission Regulation 36-14-5004; and

THAT, by participating in the Scituate Town Council's August 10, 2017 vote to approve his first cousin's terms of employment, the Respondent violated Commission Regulation 36-14-5004; and

THAT, the Respondent is ordered to pay a civil penalty in the amount of Two Hundred Fifty Dollars (\$250.00).

ENTERED as an Order of this Commission,



Chairperson

Dated: 6/19/18

**STATE OF RHODE ISLAND
BEFORE THE RHODE ISLAND ETHICS COMMISSION**

In re: Nicholas J. Izzi,
Respondent

Complaint No. 2018-7

INFORMAL RESOLUTION AND SETTLEMENT

The Respondent, Nicholas J. Izzi, and the Rhode Island Ethics Commission (“Commission”) hereby agree to a resolution of the above-referenced matter as follows:

I. FINDINGS OF FACT & ADMISSIONS

1. The Respondent began serving on the Scituate Town Council (“Town Council”) in January 2017, and has served continuously in said capacity.

2. On July 13, 2017, the Respondent participated in the Town Council’s vote to appoint his first cousin as the Emergency Management Agency (“EMA”) Director.

3. On August 10, 2017, the Respondent participated in the Town Council’s vote to approve his first cousin’s terms of employment as the EMA Director.

4. In March 2018, the Respondent, through his attorney, contacted the Commission to report that he had voted to appoint his first cousin to the position of the EMA Director, and sought the Commission’s guidance as to the proper course of action to address his apparent violation of the Code of Ethics.

5. Based on the information received, the Commission’s Executive Director conducted a Preliminary Investigation.

6. Upon the conclusion of the Preliminary Investigation, the Commission’s Chief Investigator, Steven Cross, filed the instant complaint.

7. The Respondent has fully cooperated with all of the proceedings.

II. CONCLUSIONS OF LAW

1. As a member of the Town Council, the Respondent was at all relevant times a municipal elected official subject to the Code of Ethics, pursuant to R.I. Gen. Laws § 36-14-4(1).

2. Commission Regulation 36-14-5004 ("Regulation 5004") generally prohibits a public official from participating in any matter, as part of his public duties, if there is reason to believe or expect that the public official's family member, including a first cousin, would thereby derive a direct monetary gain, suffer a direct monetary loss or obtain an employment advantage. Regulation 5004(a)(2) & (b)(1).

3. By participating in the Town Council's July 13, 2017 vote to appoint his first cousin to the EMA Director position, the Respondent violated Commission Regulation 36-14-5004.

4. By participating in the Town Council's August 10, 2017 vote to approve his first cousin's terms of employment, the Respondent violated Commission Regulation 36-14-5004.

III. SETTLEMENT

Pursuant to the above Findings of Fact and Conclusions of Law, the parties hereby agree, pursuant to R.I. Gen. Laws § 36-14-13(d) and Commission Regulation 1011, to the following:

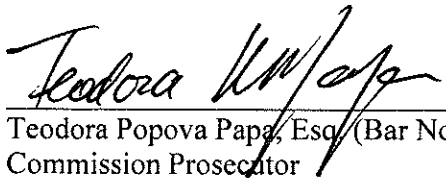
1. The Commission shall enter an Order and Judgment that the Respondent violated Commission Regulation 36-14-5004.

2. The Respondent agrees that, pursuant to the above Findings of Fact and Conclusions of Law, the Prosecution will recommend the imposition of a civil penalty in the amount of ~~Five~~ ^{Two Hundred} ~~Hundred~~ ^{Fifty} ~~(\$500.00)~~ ^{250.} Dollars. The Respondent agrees to the payment of said civil penalty.

3. The Respondent reserves the right to request that the Ethics Commission impose a lesser penalty at hearing on this Informal Resolution and Settlement.

4. The above terms represent the full and complete Informal Resolution and Settlement for Complaint No. 2018-7.

TWPP 6/14/18
Two Hundred
Fifty
TAW 6/14/18
JFL 6/14/18



Teodora Popova Papa, Esq. (Bar No. 8753)

Commission Prosecutor

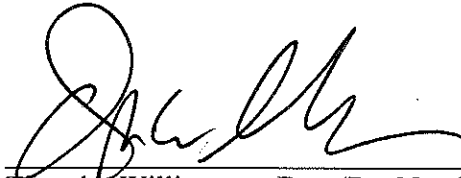
Dated: 6/19/18



Nicholas J. Izzì

Respondent

Dated: 6/19/18



Timothy Williamson, Esq. (Bar No. 4173)

Respondent's Counsel

Dated: 6/19/18